

Gárdos Mosonyi Tomori Law Office ("Law Office") as data controller processes the personal data of the natural person involved in the data processing of the Law Office in accordance with the provisions Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC ("**General Data Privacy Regulation**"), the Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information and other legislation listed in point 14.1 below.

1. DEFINITIONS

- 1.1 The terms used in this Notice, as defined in the General Data Protection Regulation, have the meanings set out therein.
- 1.2 For the purposes of this Notice, a Contract by which a natural person, a legal person or an organization without legal personality entrusts the Law Office with the performance of the activity of a lawyer shall be deemed to be a **Mandate Contract**.
- 1.3 For the purposes of this Notice, the Mandate Contract and all other agreements concluded with the Law Office shall also be deemed to be a **Contract**.
- 1.4 For the purposes of this Notice, a person involved in the data management of the Law Office is a natural person who:
 - a) with whom the Law Office has entered into a Contract,
 - b) with whom the Law Office has been in contact without a contract,
 - c) with whom the Law Office has entered into a Contract or with whom it has entered into a contract without concluding a contract,
 - i) against the Law Office as its representative, or
 - ii) without being considered a representative, acts as its contact person when contacting the Law Office, and
 - d) whose personal data came to the attention of the Law Office in connection with the conclusion and performance of a Contract concluded with another person.
- 1.5 For the purposes of this Notice, the **Contact Persons** are the natural persons indicated or described in section 1.4 c) above.

2. DATA PROCESSING DATA OF THE LAW OFFICE

Name of the data controller:	Gárdos Mosonyi Tomori Law Office
Registered seat:	H-1056 Budapest Váci street 81
Mailing address:	1461 Budapest, Pf. 377
Phone number:	+36 1 327 7560
E-mail address:	postmaster@gmtlegal.hu
Website:	www.gmtlegal.hu

3. DATA PROCESSING IN CONNECTION WITH THE CONCLUSION AND PERFORMANCE OF THE CONTRACT

- 3.1 The purpose of the Law Office's data processing is the conclusion and the performance of the Contract, verifying the rights and obligations in connection with the Contract, enforcement of the rights arising therefrom and liaising related to the performance of the Contract.
- 3.2 In the case of a natural person contracting party, the Law Office processes the following personal data: name, address, mailing address, tax identification number, phone number, fax number, e-mail and other personal data related to the performance of the Contract.
- 3.3 The legal basis for data processing in the case of a natural person contracting with the Law Office is (i) prior to the conclusion of the Contract, to take actions at the request of the contracting party, (ii) to perform the Contract after the conclusion of the Contract until its termination, and (iii) in the event of failure to conclude the contract or (iv) after the termination of the Contract, the Law Office has a legitimate interest in being able to assert its claims in connection with the Contract and in the event of any dispute or control, to prove the adequacy of its procedure.
- 3.4 In the event of the conclusion of the Contract, the Law Office shall process the personal data during the term of the Contract, after the failure to conclude the Contract or after the termination of the Contract the Law Office shall process the personal data, as long as the failure to conclude the Contract or in connection with the Contract otherwise - or, if a dispute has arisen in connection with it in the meantime, after its conclusion - a claim may be enforced against him or her.
- 3.5 **The natural person involved in the data processing may object to the data processing of the Law Office based on a legitimate interest at any time.**

4. DATA PROCESSING FOR MARKETING PURPOSE

- 4.1 The Law Office performs regular marketing activities to increase the satisfaction of its clients and to conclude possible new Mandate Contracts and to further expand the brand awareness of the Law Office further. As part of its marketing activity, the Law Office invites the relevant persons to professional or other events that enhances communication and provides professional and other awareness-raising information.
- 4.2 The Law Office processes the following personal data for marketing purposes: name, type of representation / job / position, mailing address, email, phone number, additional personal data provided for the purpose of contact, data relating to previous marketing contacts and data relevant for further marketing purposes, already processed for other purposes.
- 4.3 The legal basis of data processing is the legitimate interest of the Law Office to maintain and expand its client base, and to increase the awareness and recognition of the Law Office.
- 4.4 The Law Office processes the personal data processed for marketing purposes during the period intended by the Law Office for marketing purposes, but not later than until the termination of the processing at the request of the data subject.
- 4.5 **The natural person involved in the data processing may object to the data processing of the Law Office based on a legitimate interest at any time.**

5. DATA PROCESSING FOR CONTACT PURPOSES IN CONNECTION WITH NON-CONTRACTUAL RELATIONS

- 5.1 In addition to data processing for marketing purposes, the Law Office processes the personal data of natural persons who come into contact with or are related to it as a non-contracting party in order to properly perform its activities and to establish and maintain contacts with natural persons.
- 5.2 The Law Office processes the following personal data for non-contractual contact purposes: personal data provided by the data subject or by a third party to the Law Office for purposes other data processing purposes specified above (eg name, contact details or other personal data necessary for or related to the contact or performance of the activities of the Law Office).
- 5.3 The legal basis for data management is the Law Office's legitimate interest in establishing and maintaining contact with natural persons in the course of its activities.
- 5.4 The Law Office processes personal data for this purpose during and after the contact, as long as it is necessary to keep in touch with the natural person concerned in order to perform its activities.
- 5.5 **The natural person involved in the data processing may object to the data processing of the Law Office based on a legitimate interest at any time.**

6. PROCESSING THE PERSONAL DATA OF THE CONTACT PERSON

- 6.1 In the course of its activities, the Law Office processes the personal data of the Contact Person for the purpose of contacting persons acting through a Contact Person.
- 6.2 The Law Office processes the following personal data of the Contact Person: *name, represented person, type of representation / job / position, phone number, e-mail, and additional data on the representation.*
- 6.3 The Personal Data of the Contact Person is processed on the basis of the Law Office's legitimate interest to be able to act in connection with its activities even if the client or another person with a non-contractual relationship with the Law Office is not a natural person or acting in a non-personal manner.
- 6.4 The provisions of clauses 3.4, 4.4 and 5.4 above shall apply to the duration of the data processing in the case of the Contact Person as well.
- 6.5 **The natural person involved in the data processing may object to the data processing of the Law Office based on a legitimate interest at any time.**

7. DATA PROCESSING IN CONNECTION WITH OBLIGATIONS PRESCRIBED BY THE LAW

- 7.1 In order to fulfill its legal obligations related to its activities, the Law Office handles the personal data of the natural person contracting parties, the Contact Persons, as well as the beneficial owners of the natural person of the contracting party in accordance with the law. The following, in particular, are considered such data processing. The following, in particular, constitute such data management.

Tax and accounting related data processing

- 7.2 Pursuant to and in accordance with the obligation under Section 169 of the Accounting Act, the Law Office processes the annual account on the financial year, the annual report, and the supporting accounting documents for 8 years on the legal basis for the performance of legal obligation.
- 7.3 Pursuant to its obligation under Section 179 of the VAT Act, for compliance with its legal obligation, under the conditions specified therein, the Law Office processes the invoice documents issued by itself, or the documents in its possession and all the related documents and the personal data contained therein, at least until the right to assess the pertinent VAT expires, in order to be able to monitor whether assessment of the VAT is complete and correct.
- 7.4 Pursuant to its obligation under Article 78 (3) of Taxation Act, for compliance with its legal obligation, under the conditions specified therein, the Law Office processes all documents issued by itself, or all documents in its possession and all the related documents and the personal data contained therein until the right of tax assessment expires or, in respect of deferred taxes, for 5 years from the last day of the calendar year in which the deferred tax is due and, in the event of a dispute, for a period of 5 years following the closing the dispute, in order to be able to monitor whether tax assessment is complete and correct.

Data processing in connection with client identification

- 7.5 Pursuant to Section 32 (1) of the Legal Practice Act, for compliance with its legal obligation under the conditions set out therein, with the exception of the Mandate Contract for providing legal advice, the Law Office, before entering into the Mandate Contract, identifies the natural person principal and the Contact Person (hereinafter „**Client-identification**“).
- 7.6 If pursuant to and in accordance with Section 33 (7) of the Legal Practice Act, for compliance with its legal obligation under the conditions set out therein in order to verify the correspondence of the client's data and in order to check the validity of the documents presented by the client, the Law Office requests data electronically from the register of personal data and addresses, the register of driving licences, the register of travel documents and the central aliens administration register („**JÜB data request**“), than processes the data defined under Section 32 (3) of Legal Practice Act for the period regulated in the Anti-Money Laundering Law, that is, for the period of eight years following the performance of the mandate, or upon request of the investigating authority, the prosecution service or the court for the period specified in the request for up to ten years after the performance of the mandate.

Records of clients

- 7.7 Where legal representation is mandatory in the process initiated according to the Mandate Contract, pursuant to Section 33 (1) of the Legal Practice Act, for compliance with its legal obligation under the conditions set out therein, the Law Office keeps records of natural persons identified at least through the inspection of a document suitable for verifying identity, and of legal persons and other organizations, in order to facilitate security of legal transactions and enforcing the restrictions on legal practice, and processes personal data defined under Section 32 (3) of Legal Practice Act for the period regulated in the Anti-Money Laundering Act, that is, for the period of eight years following the performance of the mandate, or upon request of the investigating authority, the prosecution service or the court for the period specified in the request for up to ten years after the performance of the mandate.

Records of cases

- 7.8 The Law Office keeps records of the cases performed under the Mandate Contracts, pursuant to Section 33 (7) of the Legal Practice Act, for compliance with its legal obligation under the conditions set out therein, with data specified in Section 53 (2) of the Legal Practice Act, for the purpose of verifiability of the rules governing legal practice and for the protection of clients' rights in the event of termination of the right to conduct legal practice.
- 7.9 Pursuant to Section 53 (3) of the Legal Practice Act, the Law Office processes the data contained in the records of cases for the period of five years following the termination of the Mandate Contract, and for the period of ten years following the countersigning in the case of countersigning documents, and for the period of ten years following the registration of the right in the cases concerning registration of rights applying to real property in certified public records.

Data processing regarding countersigned documents

- 7.10 In the case of countersigning documents, pursuant to Section 53 (5) of the Legal Practice Act, for compliance with its legal obligation under the conditions set out therein, the Law Office retains the document countersigned by it and other documents created in connection with the countersigning the document, for the period of ten years following the countersigning, unless it is required by statutes or agreement to retain those for a longer period.

Data processing relating to the prevention and combating of money laundering and terrorist financing

- 7.11 Pursuant to Section 6 of the Anti-Money Laundering Act, for compliance with its legal obligation under the conditions set out therein, the Law Office is obliged to carry out a client due diligence, and in connection with this the Law Office processes the personal data of the Clients, their Contact Persons and the beneficial owners of natural persons specified in Section 7 (2) and Section 8 (2) of the Anti-Money Laundering Act.

7.12 In order to verify the identity, the Law Office makes copies of documents containing the above mentioned data for the proper fulfillment of obligations under the Anti-Money Laundering Act, full implementation of the customer due diligence obligation and for the efficient performance of supervisory activities for the purpose of preventing and combating money laundering and terrorist financing.

7.13 The Law Office retains a paper copy of the information obtained during the customer due diligence, records the fact of the due diligence in writing in the case file, in the case of a retrieval of data from the central register, retains the paper copy of the response separately from the case file, and stores the response to the request in electronic form, and lists the data specified by Section 57 of the Anti-Money Laundering Act in the records kept by it.

7.14 The duration of the data processing pursuant to Section 56 (2) of the Anti-Money Laundering Act, depending on the Mandate Contract, eight years from data recording in the case of a single mandate or from the termination of the business relationship in the case of a permanent mandate, based on the Section 58 (1) of the Anti-Money Laundering Act, at the request of the supervisory body specified in Section 5 of the Anti-Money Laundering Act, the financial intelligence unit, the investigating authority, the prosecution service and the court, for a period specified in the request, but not more than 10 years following the date of carrying out the mandate.

7.15 If the data subject does not provide data, the Law Office refuses to cooperate in the case.

8. CONFIDENTIALITY

- 8.1 The Law Office does not provide information about its data processing, if it is required to remain confidential under the obligation of professional secrecy.

9. RECIPIENTS AND CATEGORIES OF DATA

- 9.1 The Law Office assigns data processors in connection with its activities, and makes available or transfers personal data that is strictly necessary for the performance of his duties.

Retaining data processor

9.2 The Law Office enlists the services of **D-VISION Computer Systems Ltd.** (registered office: 1092 Budapest, Ráday street 51, company registration number: Cg.01-09-681918) as data processor, to provide the necessary IT background for its operation.

9.3 The data processor(s) may process personal data provided by the Law Office only on the basis of a written contract concluded by the Law Office, solely on the instructions of the Law Office and for the purpose stated above.

9.4 According to the provisions of the Law Office, the data processor(s) is/are entitled to process the personal data no later than the date of the transfer or deletion of the data processed after the termination of the data processing contract, or until such time that the Law Office is entitled or obliged to process the personal data.

9.5 Law Office only uses the services of such data processor(s) who provide(s) adequate guarantees for the implementation of appropriate technical and organizational measures to ensure compliance with the requirements of the General Data Protection Regulation and the protection of the personal data of the data subject.

Data Transfer

9.6 For the purpose of the audit required by the Accounting Act, the Law Office transfers data specified by the law to the auditor. The auditor of the Law Office is currently **TAXATIPP Kft.** (Registered office: 1141 Budapest, Gödöllői street 115 / B, company registration number: Cg.01-09-266338).

9.7 In the cases prescribed by law, the Law Office is obliged to transfer specified personal data to the institutions, bodies and organizations designated by law, and the fact of which the Law Office notifies the data subjects about such transfer, unless that is prohibited by law.

10. DATA SECURITY MEASURES

10.1 The Law Office takes all reasonable steps to prevent unauthorized access to or use of personal data and the equipment used for the processing. The Law Office ensures the protection of the personal data processed in accordance with the provisions of the General Data Protection Regulation.

10.2 The Law Office provides appropriate physical and logical protection for the data processed paper-based and also in electronic storage. In order to avoid unauthorized use and misuse of the personal data processed, the Law Office applies extensive technical and operational security measures.

11. EXERCISING RIGHTS OF DATA SUBJECTS

11.1 Pursuant to Articles 15 to 22 of the General Data Protection Regulation, the data subject may request access to his/her personal data processed by the Law Office, or rectification, or deletion, or limitation of the processing thereof, and may object to the processing of such personal data and may exercise his/her right to data portability.

11.2 The data subject may exercise his/her rights detailed below by sending request to the mailing address or e-mail address of the Law Office specified herein after identifying himself/herself.

- 11.3 The Law Office may request additional information from the data person, if it has reasonable doubts about the identity of the natural person who submitted the request.
- 11.4 The Law Office shall inform the data subject about its decision on the data subject's request under Articles 15 to 22 of the General Data Protection Regulation without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The Law Office shall inform the data subject of any such extension and its reasons within one month of receipt of the request. Where the data subject makes the request by electronic means, the information will be provided by electronic means, unless otherwise requested by the data subject.
- 11.5 If the Law Office does not take action on the request of the data subject, the Law Office will inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.
- 11.6 The Law Office provides action in respect of the exercise of the right of the data subject free of charge. If the requests of the data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the Law Office, taking into account the administrative costs of providing the information or communication or taking the action requested, may:
- charge a reasonable fee; or
 - refuse to act on the request.

12. RIGHTS OF DATA SUBJECTS

- 12.1 Right of access:** The data subject is entitled to obtain confirmation from the Law Office as to whether or not personal data concerning him or her are being processed. At the request of the data subject, the Law Office provides a copy of the personal data processed by it and at the same time provides the information specified in Article 15 of the General Data Protection Regulation (for example: purpose of data processing, categories of data processed, categories of recipients to whom the data are disclosed, duration of data processing).
- 12.2 Right to rectification:** At the request of the data subject, the Law Office corrects the inaccurate personal data concerning the data subject without undue delay.
- 12.3 Right to deletion and to be forgotten:** At the request of the data subject, in accordance with Article 17 of the General Data Protection Regulation or without specific request, the Law Office deletes the processed data of the data subject without delay. If the data subject requests the deletion of his personal data made public by the Law Office, the Law Office will take all reasonable steps to inform the data processors processing the data subject's data that the data subject has requested the deletion of his data.
- 12.4 Right to restriction of processing:** At the request of the data subject, the Law Office shall, subject to the provisions of Article 18 of the General Data Protection Regulation, restrict the processing of the data subject's personal data. Where processing has been restricted at the request of the data subject, the Law Office shall, with the exception of storage, process such personal data only with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest.
- 12.5 Right to data portability:** In accordance with Article 20 of the General Data Protection Regulation, in the case of automated processing based on contract or consent, at the request of the data subject, his/her personal data which was previously made available to the Law Office will be provided to the data subject in a structured, commonly used, machine-readable format, or at the request of the data subject, such data will be transferred directly to another data controller, if it is technically feasible.

- 12.6 Right to object:** If the Law Office processes personal data of the data subject for a legitimate interest, the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her. In this case, the data controller shall no longer process the personal data unless in exceptional cases defined by the law.

13. REMEDIES

- 13.1 The Law Office will make every effort to ensure that the processing of personal data is lawful and as secure as possible. Therefore, it is recommended to contact the Law Office directly before seeking other remedies to resolve any problems that may arise.
- 13.2 The data subject is entitled to lodge a complaint with the **Hungarian National Authority for Data Protection and Freedom of Information** (postal address: H-1374 Budapest, Pf.: 603.; www.naih.hu, e-mail: ugyfelszolgalat@naih.hu) or with the data protection supervisory authority of the Member State in which the client is habitually resident, employed or allegedly infringed, if the data subject considers that the processing of personal data relating to him or her infringes the General Data Protection Regulation. If the supervisory authority does not deal with the complaint or does not inform the data subject within three months of the procedural developments or the outcome of the complaint, the person concerned shall have the right to a judicial remedy. Proceedings against the supervisory authority shall be brought before the courts of the Member State where the supervisory authority is established.
- 13.3 The person concerned shall also have the right to apply to the courts for a remedy. In this case, the person concerned can decide whether to bring the case to a court in the EU Member State in which the Law Office operates or before a court in the EU Member State in which the person concerned is domiciled. In Hungary, the person concerned may also institute proceedings at the Regional Court of the place where he is domiciled.

14. APPLICABLE LAW

- 14.1 Regarding the activities of the Law Office, data processing is governed by the following laws:
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of personal data with regard to the processing and free movement of such data and repealing Regulation (EC) No 95/46 ("General Data Privacy Regulation"),
 - Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information ("Infotv."),
 - Act LXXVIII of 2017 on Legal Practice ("Legal Practice Act")
 - Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing ("Anti-Money Laundering Act"),
 - Act CL of 2017 on the Rules of Taxation ("Taxation Act"),
 - Act CXXVII of 2007 on Value Added Tax ("Vat."),
 - Act C of 2000 on Accounting ("Aa").

**Gárdos Mosonyi Tomori Law Office
data processor**